

## Department of Energy

(b) Before completing any transaction that DOE guarantees, approves, regulates, or insures that is related to an area located in a floodplain, DOE shall inform any private party participating in the transaction of the hazards associated with locating facilities or structures in the floodplain.

### § 1022.22 Requests for authorizations or appropriations.

It is DOE policy to indicate in any requests for new authorizations or appropriations transmitted to the Office of Management and Budget, if a proposed action is located in a floodplain or wetland and whether the proposed action is in accord with the requirements of E.O. 11988 and E.O. 11990 and this part.

### § 1022.23 Applicant responsibilities.

DOE may require applicants for any use of real property (*e.g.*, license, easement, lease, transfer, or disposal), permits, certificates, loans, grants, contract awards, allocations, or other forms of assistance or other entitlement related to activities in a floodplain or wetland to provide information necessary for DOE to comply with this part.

### § 1022.24 Interagency cooperation.

If DOE and one or more agencies are directly involved in a proposed floodplain or wetland action, in accordance with DOE's NEPA or CERCLA procedures, DOE shall consult with such other agencies to determine if a floodplain or wetland assessment is required by subpart B of this part, identify the appropriate lead or joint agency responsibilities, identify the applicable regulations, and establish procedures for interagency coordination during the environmental review process.

## PART 1023—CONTRACT APPEALS

### OVERVIEW: ORGANIZATION, FUNCTIONS AND AUTHORITIES

Sec.

- 1023.1 Introductory material on the Board and its functions.
- 1023.2 Organization and location of the Board.
- 1023.3 Principles of general applicability.
- 1023.4 Authorities.

## § 1023.1

- 1023.5 Duties and responsibilities of the Chair.
- 1023.6 Duties and responsibilities of Board members and staff.
- 1023.7 Board decisions; assignment of judges.
- 1023.8 Alternative dispute resolution (ADR).
- 1023.9 General guidelines.

### Subpart A—Rules of the Board of Contract Appeals

- 1023.101 Scope and purpose.
- 1023.102 Effective date.
- 1023.120 Rules of practice.

### Subpart B [Reserved]

### Subpart C—Procedures Relating to Awards Under the Equal Access to Justice Act

#### GENERAL PROVISIONS

- 1023.300 Definitions.
- 1023.301 Purpose of these rules.
- 1023.302 When the Act applies.
- 1023.303 Proceedings covered.
- 1023.304 Eligibility of applicants.
- 1023.305 Standards for awards.
- 1023.306 Allowable fees and expenses.
- 1023.307 [Reserved]
- 1023.308 Awards against other agencies.

#### INFORMATION REQUIRED FROM APPLICANTS

- 1023.310 Contents of application—overview.
- 1023.311 Net worth exhibit.
- 1023.312 Documentation of fees and expenses.
- 1023.313 When an application may be filed.

#### PROCEDURES FOR CONSIDERING APPLICATIONS

- 1023.320 Filing and service of documents.
- 1023.321 Answer to application.
- 1023.322 Reply.
- 1023.323 Comments by other parties.
- 1023.324 Settlement.
- 1023.325 Further proceedings.
- 1023.326 Board decision.
- 1023.327 Reconsideration.
- 1023.328 Judicial review.
- 1023.329 Payment of award.

AUTHORITY: 42 U.S.C. 2201, 5814, 7151, 7251; 5 U.S.C. 301; 41 U.S.C. 321, 322, 601–613; 5 U.S.C. 571–583; 9 U.S.C. 1–16, unless otherwise noted.

#### OVERVIEW: ORGANIZATION, FUNCTIONS AND AUTHORITIES

SOURCE: 62 FR 24806, May 7, 1997, unless otherwise noted.

### § 1023.1 Introductory material on the Board and its functions.

(a) The Energy Board of Contract Appeals (“EBCA” or “Board”) functions as a separate quasi-judicial entity